

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

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**CURTIS ROGERS,**

*Plaintiff,*

**v.**

**CITY OF GREENSBORO ABC  
BOARD,**

*Defendant.*

**CASE NO.: 1:23-CV-621**

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**AFFIDAVIT OF CURTIS ROGERS**

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**THE UNDERSIGNED**, being first duly sworn, deposes and says:

**1** I am a resident of the State of North Carolina.

**2** I am over the age of 18 and competent and qualified to testify as to the matters stated herein.

**3** The matters stated herein are based on my personal knowledge except where stated and as to those matters, I believe them to be true.

**4** On July 28, 2021, I was diagnosed with plantar fasciitis after feeling significant pain in my foot.

5        Plantar fasciitis makes it difficult for me to walk or stand. At times, I am not  
able to put any pressure on my foot, which prevents me from standing and walking  
entirely. It was one of these occasions that led me to seek treatment on July 28, 2021.

6        My doctor told me to stay off my feet for four days.

7        I texted my supervisor, Jasen Milliken, to let him know. Defendant's Exhibit  
1 (Doc. 28-1) is a true and accurate copy of that text conversation.

8        Because Milliken said in his text we needed to call him, I also called him.  
During that conversation, I told him that I could not put weight on my foot for four days  
and would bring him a note on Monday (August 2, 2021). Milliken responded, "Okay."

9        By the time I returned to work on August 2, my pain had subsided to a 5 out  
of 10, but I still walked with a noticeable limp.

10       On August 2, 2021, I provided Milliken with a doctor's note and after visit  
summary attached hereto as Exhibit A.

11       Milliken asked me why I did not come to work on July 30.

12       I told Milliken that I could not put any weight on my foot, so I could not do  
any of my job duties, all of which involved standing and walking.

13       Milliken told me that if I could not make truck days he did not need me, and  
that he would talk to Vickie Armstrong, the CEO.

**14** Three days later, on August 5, 2021, Milliken and Armstrong terminated me by giving me the piece of paper that is page 4 of Doc. 28-4. They did not provide any additional details.

**15** Misty Walters and Teresa Pitts did not work for the ABC Board at the same time I did. If they did, I never met them.

**16** All of the job duties mentioned in paragraph 5 of Misty Walters's affidavit (Doc. 28-6) still required standing:

**16.1** Milliken only permitted certain employees to use the forklift. I was not one of them. Even if I were, the forklift was only operated for a few minutes at a time between loading and unloading.

**16.2** Riding in the truck would only have occurred between loading and unloading.

**16.3** Seated meetings were an infrequent occurrence, and usually only lasted a few minutes.


**17** I did not go to the follow-up visit for my foot mentioned in Exhibit A because I lost my insurance when the ABC Board terminated me.

**18** My plantar fasciitis nevertheless continued to worsen after my initial diagnosis, limiting the time I can spend walking and standing. This caused me to seek increasingly sedentary work. I am now unable to work any delivery, freight, or warehouse

jobs because of my plantar fasciitis. If I walk or stand for prolonged periods, the following day I will be completely unable to walk or stand.

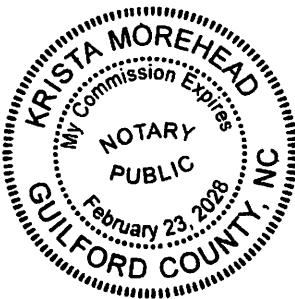
**On penalty of perjury, I swear the statements above to be true, except those made upon information and belief, which I believe to be true upon reasonable knowledge of the facts.**

This, the 31 day of May, 2024.

  
CURTIS ROGERS

North Carolina (STATE)  
Guilford (COUNTY)

Sworn to and subscribed before me by Curtis Rogers this 31 day of May, 2024,



  
Signature of Notary Public

Krista Morehead  
Notary's Printed Name

MY COMMISSION EXPIRES: 02/23/28

# EXHIBIT A



NC GREENSBORO MARKET  
GREENSBORO MARKET  
5402 W MARKET ST  
STE A  
GREENSBORO NC 27409-2507  
336-387-3346

July 28, 2021

Patient: **Curtis D Rogers**  
Date of Birth: [REDACTED] /1991  
Date of Visit: **7/28/2021**

To Whom It May Concern:

Curtis Rogers was seen in my clinic on 7/28/2021 at 2:15 pm. Please excuse Curtis for his absence from work on this day to make the appointment. Pt may return to work on 07/30/2021. No prolonged standing for the next 4 days.

If you have any questions or concerns, please don't hesitate to call.

Sincerely,

Latasha Nicole Williams, NP

CC: No Recipients



## AFTER VISIT SUMMARY

**Curtis D. Rogers** MRN: 12524553

7/28/2021 2:15 PM Greensboro Market 336-387-3346

### Instructions from Latasha Nicole Williams, NP

Stretch foot with belt or towel prior to getting out of bed in the morning. Frozen water bottle rolls to bottom of foot as discussed. Make appointment with primary care provider.



#### Today's medication changes

➔ **START** taking:  
naproxen (Naprosyn)

Accurate as of July 28, 2021 2:47 PM.  
Review your updated medication list below.



#### Read the attached information

Additional instructions from Latasha Nicole Williams, NP



#### Ask your doctor where to pick up these medications

• naproxen 500 MG tablet



#### Follow up in about 1 week

(around 8/4/2021) for Recheck with your doctor.

### Today's Visit

You saw Latasha Nicole Williams, NP on Wednesday July 28, 2021. The following issue was addressed: Plantar fasciitis.



Blood Pressure  
119/72



BMI  
25.08



Weight  
174 lb  
12.8 oz



Height  
5' 10"



Temperature (Oral)  
98.5 °F



Pulse  
70



Respiration  
18



Oxygen Saturation  
95%

### What's Next

You currently have no upcoming appointments scheduled.

### FastMed MyChart

View your After Visit Summary and more online at <https://mychart.fastmed.com/mychart/>.